

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA, *et al.*,

Plaintiff,

and

PUYALLUP TRIBE OF INDIANS,

and

CITIZENS FOR A HEALTHY BAY, and
PUGET SOUNDKEEPER ALLIANCE,

Intervenor-Plaintiffs

vs.

ELECTRON HYDRO, LLC, and THOM A.
FISCHER

Defendants.

Case No: 2:20-cv-01746-JCC

ORDER GRANTING UNOPPOSED
MOTION TO AMEND CASE SCHEDULE
AND TRIAL DATE

NOTE ON MOTION CALENDAR:
August 4, 2022

Defendants Electron Hydro, LLC and Thom A. Fischer have moved the Court for an order to amend the case schedule order and the trial date in this action. Plaintiff United States of America, Plaintiff-Intervenor Puyallup Tribe of Indians, and Plaintiff-Intervenors Citizens for a Healthy Bay and Puget Soundkeeper Alliance do not oppose the motion. The Court hereby GRANTS the motion for good cause shown. The Parties shall comply with the following case schedule:

- 1 1. By July 30, 2022, the Parties shall complete Fact Discovery, except that the Fact
2 Discovery deadline is extended for Plaintiff and Plaintiff-Intervenor to complete the
3 following additional Fact Discovery: (a) conduct the deposition of Thom A. Fischer,
4 currently scheduled for August 3, 2022; (b) complete the 30(b)(6) deposition of
5 Electron Hydro, LLC, currently scheduled for August 22, 2022; (c) Plaintiff shall
6 complete its production of documents in Fact Discovery by August 15, 2022, and (d)
7 additional Fact Discovery regarding matters within the scope of those two
8 depositions, which shall be completed by September 23, 2022.
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- 10 2. On or before October 7, 2022, the Parties shall submit names and expected areas of
11 testimony for each expert witness.
- 12 3. On or before December 2, 2022, Plaintiffs shall submit expert reports under Rule
13 26(a)(2) of the Federal Rules of Civil Procedure.
- 14 4. On or before January 16, 2023, Defendant shall submit expert reports under
15 Rule 26(a)(2) of the Federal Rules of Civil Procedure.
- 16 5. On or before February 24, 2023, Plaintiffs and Defendant shall submit rebuttal expert
17 reports.
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- 19 6. The Parties shall conduct expert witness depositions beginning on or before March
20 10, 2023. Depositions of expert witnesses shall be complete by May 8, 2023.
- 21 7. On or before June 5, 2023, the Parties shall file any dispositive motions; motions and
22 briefs in opposition shall be filed on or before July 10, 2023; replies thereto shall be
23 filed on or before August 7, 2023.
- 24 8. The Parties shall file a joint proposed pretrial order on or before October 2, 2023.
- 25 9. Proposed findings of fact and conclusions of law shall be filed by each party by
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10. Trial briefs shall be filed by each party by October 9 5, 2023.

11. Bench trial in this matter shall commence on October ~~12~~ 10, 2023 at 9:30 a.m. in Courtroom 16206 before U.S. District Judge John C. Coughenour.

John C. Coyle

John C. Coughenour
UNITED STATES DISTRICT JUDGE